

Amendment No. 3 to SB2092

Bryson
Signature of Sponsor

AMEND Senate Bill No. 2092

House Bill No. 2156*

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 4-51-124, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a) All records and information in the possession of the corporation are open for inspection by members of the public unless otherwise provided by state law. The following records or information in the possession of the corporation shall be treated as confidential and shall be exempt from the provisions of § 10-7-503:

(1) Trade secrets, as such term is defined in § 47-25-1702;

(2) Security measures, systems, or procedures;

(3) Security reports;

(4) Proposals received pursuant to personal service, professional service, and consultant service contract regulations, and related records, including evaluations and memoranda; provided, that such information shall be available for public inspection after the completion of evaluation of such proposals by the corporation. Sealed bids for the purchase of goods and services, and leases of real property, and individual purchase records, including evaluations and memoranda relating to such bids; provided, that such information shall be available for public inspection after the completion of evaluation of such bids by the corporation.

Internal audit reviews of the corporation including any documentation and memoranda relating to such audits; provided, that such information shall

be available for public inspection after finalization of such audits by the corporation;

(5)

(A) The following records or information of an employee of the corporation in the possession of the corporation in its capacity as an employer shall be treated as confidential and shall not be open for inspection by members of the public: unpublished telephone numbers; bank account information; social security number; driver license information except where driving or operating a vehicle is part of the employee's job description or job duties or incidental to the performance of the employee's job; and the same information of immediate family members or household members;

(B) Information made confidential by this subdivision shall be redacted wherever possible and nothing in this subdivision shall be used to limit or deny access to otherwise public information because a file, a document, or data file contains confidential information;

(C) Nothing in this subdivision shall be construed to limit access to these records by law enforcement agencies, courts, or other governmental agencies performing official functions;

(D) Nothing in this subdivision shall be construed to close any personnel records of an employee of the corporation which are currently open under state law;

(E) Nothing in this subdivision shall be construed to limit access to information made confidential under this subdivision, when the employee expressly authorizes the release of such information;

(6) Information obtained pursuant to investigations which is otherwise confidential;

(7) Identifying information obtained from prize winners, including, but not limited to, home and work addresses, telephone numbers, social security numbers, and any other information that could reasonably be used to locate the whereabouts of an individual; provided, that:

(A) The corporation shall disclose any relevant information to a claimant agency pursuant to part 2 of this chapter necessary to establish or enforce a claim against a debtor as defined in part 2 of this chapter;

(B) The corporation may disclose a lottery prize winner's name, home state, hometown, and, if authorized by the prize winner, any other information for marketing, advertising, or promotional purposes; and

(C) The corporation shall disclose any information not subject to the provisions of subdivisions (1)-(4) or (6), that is otherwise necessary to assist any federal, state, or local entity in the performance of its statutory or regulatory duties; and

(8) Medical records or medical information of an employee of the corporation, and medical records or information of family members of an employee of the corporation, in possession of the corporation shall be treated as confidential and shall not be open for inspection by members of the public.

Meetings of the corporation shall be open to the public pursuant to title 8, chapter 44, part 1; provided, that portions of meetings devoted to discussing information deemed confidential pursuant to this section or deemed confidential pursuant to the provisions of title 10, chapter 7, part 5 are exempt from the provisions of title 8, chapter 44, part 1.

AND FURTHER AMEND by adding in the effective date section of the bill as amended the following language concerning the section added by this amendment:

Section ____ shall take effect upon becoming a law, the public welfare requiring it.